

## **REMARKS**

The last office action has been carefully considered.

A preliminary amendment is submitted herein along with the R.C.E.

Applicant gratefully acknowledges the Examiner's allowance of claims 27 and 36 in the last office action.

In the last office action, the Examiner rejected claims 22-23, 25-26, 32-35, 37-38 and 41 under 35 U.S.C. 103(a) over Lebensfeld '166 in view of Mathieu et al '486 and Hara '368. The Examiner also rejected claim 24 under 35 U.S.C. 103(a) over Lebensfeld, Mathieu et al and Hara in view of Mowrer et al '716. Independent claims 22, 25, 32, and 37 have been amended herein. In view of the amendments presented below, it is respectfully requested that these rejections be withdrawn.

In the last office action, the Examiner rejected claims 22-23, 25-26, 32-35, 37-38 and 41 in view of Lebensfeld, Mathieu et al and Hara. The Examiner reasoned that the Examiner has "equated the Lebensfeld hit point values as taught in col. 6, lines 31-34 to read on a broad limitation of a defense function since the hit values indicate a level of defense." (page 5 of office action) Thus, the Examiner reasons that if a hit scores 2 points versus a possible 4 points, this would indicate a higher level of defense. Amended independent claim 22 now recites a defense function for generating or activating moveable features or elements. Amended independent claims 25, 32 and 37 substantively incorporate the subject matter recited in amended claim 22.

The disclosure of Lebensfeld (col 6, lines 31-36) indicates that the "defense function" the Examiner is referring to is a backpack's ability to record weighted hit values. Lebensfeld does not disclose or suggest a defense function that generates or activates moveable features or elements as is now claimed in independent claims 22, 25,

32 and 37.

Accordingly, it is respectfully submitted that claims 22, 25, 32 and 37 and the claims depending thereon are not taught or suggested by Lebensfeld, Mathieu, Hara and Mowrer either alone or in combination.

It is therefore respectfully requested that the claims remaining in the present application be passed to issue.

Allowance of the claims remaining in the present application is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard B. Klar', is written over a horizontal line.

Richard B. Klar  
Reg. No. 31,385

Law Office of Richard B. Klar  
28 East Old Country Road  
Hicksville, New York 11801  
(516) 827-0100